

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEVEN MICHAEL LUEDTKE,

Defendant.

4:21CR3138

ORDER

Defendant has moved to withdraw his motion to suppress. (Filing No. 43).
The court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's motion to withdraw, (Filing No. 43), is granted.
- 2) Defendant's motion to suppress, (Filing No. 31), is withdrawn.
- 3) The parties are engaged in plea discussions. A hearing is set to commence before the undersigned magistrate judge in Courtroom 2, United States Courthouse, Lincoln, Nebraska, at 10:30 a.m. on January 4, 2023. Thirty minutes have been set aside for the hearing. Defendant, defense counsel, and counsel for the government shall attend the hearing.

Defendant may choose to enter a plea of guilty before the undersigned magistrate judge at this hearing.

If Defendant chooses to enter a plea on guilty on January 4, 2023, the Petition to Enter a Plea of Guilty and any Plea Agreement must be forwarded to zwart@ned.uscourts.gov on or before January 3, 2023.

- 4) The trial of this case is continued pending further order of the court. If needed, at the hearing on January 4, 2023, the court will set the

date of the jury trial along with the deadlines for disclosing experts as required under Rule 16.

- 5) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendant in a speedy trial, and the additional time arising as a result of the granting of the motion, the time between today's date and January 4, 2023 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under this court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

October 31, 2022.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge